

Section
B4 First, the Second Amendment is a fundamental right which is imprescriptible and protection of such inalienable rights is due process of law; reference; [Paul Poe v. Abraham Ullman].

And "it is not every Act, legislative in form, that is law", and "the limitations imposed by our constitutional law upon the action of the government, both State and national are essential to the preservation of public and private rights."

"The enforcement of these limitations by judicial process is the device of self-governing communities to protect the rights of individuals, and minorities, as well against the power of numbers, as against the violence of public agents, transcending the limits of lawful authority, even when acting in the name, and wielding the force of the government."; reference; [Joseph Hurtado v. People of the State of California]

Section
B5 "Possession of a firearm was not a crime of violence, and that it was not authorized to detain defendant without bond or hold detention hearing" "18 USCS Section 922(g) was not a crime of violence"

"In sum for all these reasons, the Court finds that 18 USCS Section 922(g) is not a "crime of violence" under the Bail Reform Act" reference; [United States v. Tyrone W. Gloster]

Section
B6 "The fact that a given law or procedure is efficient, convenient, and useful in facilitating functions of government, standing alone, will not save it if it is contrary to the Federal Constitution." reference; [Alexia Morrison v. Theodore B. Olsen]

Section
B7 "The government should exercise all the powers it has for the protection of the rights of its citizens, but it can exercise no other" reference; [United States v. William J. Cruikshank]

6. "The right of bearing arms for lawful purpose is not a right granted by the Constitution; neither is it in any manner dependent upon that instrument for its existence. The Second Amendment declares that it shall not be infringed" reference; [United States v. William J. Cruikshank]

Section
C1 "Where rights secured by the Federal Constitution are involved, there can be no rule-making or legislation which would abrogate them" reference; [Ernesto A. Miranda v. State of Arizona]

Section
C1 "the fact that a right is not defeasible by statute, means only that it is protected by the Constitution" reference; [John H. Alden v. Maine]



Section
(C) 3

Overview: Holdings: [1] "the states licensing regime violated the Constitution because the Second and Fourteenth Amendments protected an individual's right to carry a handgun for self defense outside the home" [New York State Rifle and Pistol Association Inc. v. Kevin P. Bruen]

Section
(C) 3

Arms - Meaning

L. Ed. Digest: Weapons and Firearms § 1

5. "The 1773 edition of Samuel Johnson's dictionary defined 'arms' as weapon of offense, or armour of defense. Timothy Cunningham's important 1771 dictionary defined 'arms' as any thing that a man wears for his defense, or takes into his hands, or useth in wrath to cast at or strike another" reference; [District of Columbia v. Dick Anthony Heller]

Section
(C) 3

Keep arms - meaning

L. Ed. Digest: Weapons and Firearms § 1

7. "The most natural meaning of 'Keep Arms' in the Second Amendment, is to 'have weapons' reference; [District of Columbia v. Dick Anthony Heller]

Section
(C) 3

Bear arms - meaning

L. Ed. Digest: Weapons and Firearms § 1

8. "At the time of the founding, as now, 'bear' meant to 'carry'. When used with 'arms' however, the term has a meaning that refers to carrying for a particular purpose, confrontation. In *Muscarello v. United States*, in the course of analyzing the meaning of 'carries a firearm' in a federal criminal statute, Justice Ginsburg wrote that surely a most familiar meaning is, as the Constitution's Second Amendment indicates; wear, bear, or carry upon the person, or in the clothing, or in the pocket" reference; [District of Columbia v. Dick Anthony Heller]

Section
(C) 3

"The most explicit evidence of Congress' aim appears in 14 of the Freedmen Bureau of 1866, which provided that 'the right... to have full and equal benefit of all the laws and proceedings concerning personal liberty, personal security, and the acquisition, enjoyment, and disposition of estate, real and personal, including the Constitutional right to bear arms, shall be secured to and enjoyed by all the citizens... without respect to race or color, or previous condition of slavery' reference; [Otis McDonald v. City of Chicago, Illinois]